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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,024	08/22/2003	Haixiang He	15964ROUS01U	9247

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EXAMINER
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KANE, CORDELIA P

ART UNIT	PAPER NUMBER
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2132

MAIL DATE	DELIVERY MODE
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07/30/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/646,024

Applicant(s)

HE, HAIXIANG

Examiner

Cordelia Kane

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to the Applicants Remarks filed on April 30, 2007.

Claims 1 – 19 are pending. Claims 1 and 13 are independent.

### ***Response to Arguments***

2. Applicant's arguments, see Applicants Remarks, filed April 30, 2007, with respect to the rejections of claims 1 – 8 and 11 – 19 under 35 USC 102 and claims 9 and 10 under 35 USC 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new grounds of rejection is made in view of Rai et al.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 3, 15, 18 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 18 and 19 recite the limitation "foreign agent identifying information". There is insufficient antecedent basis for this limitation in these claims as in parent claim 13.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1 – 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Rai et al's US Patent 6,421,714 B1.

7. Referring to claims 1 and 13, Rai teaches:

- a. Providing preliminary connectivity to first wireless user on a first wireless network in a first wireless domain (column 8, lines 56-60).
- b. Receiving identifying information and registration information associated with the first wireless user on the first wireless network (column 9, lines 21-25).
- c. Sending the identifying information to a second domain containing the home agent associated with the first wireless user (column 18, lines 43-44).
- d. Receiving an access result and selectively granting access to the wireless user to enable the wireless user to gain admittance on the first wireless network based on the access result (column 18, lines 51-64).

8. Referring to claims 2 and 14, Rai teaches the registration information includes home agent identifying information (column 18, lines 30-31).

9. Referring to claims 4 and 16, Rai teaches the registration information includes foreign agent identifying information (column 18, lines 28-31).

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10. Referring to claims 5 and 17, Rai teaches that the registration information includes both home agent identifying information and foreign agent identifying information (column 18, lines 28-31).
11. Referring to claim 6, Rai teaches a foreign agent in the first wireless domain configured to receive communications on behalf of the wireless user (column 18, lines 16-17).
12. Referring to claim 7, Rai teaches sending foreign agent identifying information to the second domain (column 18, lines 41-45).
13. Referring to claim 8, Rai teaches wherein the home agent is configured to receive communication on behalf of the wireless user and forward the communications to the foreign agent based on the foreign agent identifying information (column 18, lines 45-64).
14. Referring to claim 9, Rai teaches that the identifying information comprises a user id (column 18, line 29) and password (column 19, line 3).
15. Referring to claim 10, it is inherent that the identifying information passed (column 18, lines 29-30, and column 19, line 3) is a token.
16. Referring to claim 11, Rai teaches that receiving identifying information and registration information further comprises receiving conceptual information associated with a VPN (column 18, line 30).
17. Referring to claim 12 Rai teaches providing access to the wireless user by the first wireless network to the VPN associated with the conceptual information (column 7, lines 59-61).

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18. Referring to claim 18, Rai teaches wherein foreign agent identifying information identifies the wireless access point (figure 18).

19. Referring to claim 19, Rai teaches wherein the foreign agent identifying information identifies a network device in the first domain other than the wireless access point (column 7, lines 40-44).

***Claim Rejections - 35 USC § 103***

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

22. Claims 3 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rai as applied to claims 1, 2, 13 and 14 above, and further in view of Josset et al's US Publication 2003/0188159 A1. Rai discloses all the limitations of the parent claim as well as that the data passed between the end system and the home agent is encrypted (column 27, lines 31-32). It goes on to teach that the home agent and the end system

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negotiate the encryption algorithm and that the home agent stores the shared secret (column 27, lines 31-40). There is no mention of the foreign agent having the shared secret, therefor it is inherent that the foreign agent passes the identifying information on without decrypting it. Rai does not explicitly disclose leaving the home agent identifying information unencrypted. However, Josset discloses attaching to an encrypted packet the information needed for addressing and routing (page 5, paragraph 114).

23. Rai and Josset are analogous art because they are from the same field of endeavor, routing data. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Rai and Josset before him or her, to modify the encrypted data of Rai to include the unencrypted addressing information of Josset. The motivation for doing so would have been keeping the data secure but still being able to route it to the correct address (Josset, page 5, paragraphs 113-114).

Therefor it would have been obvious to combine Josset with Rai to obtain the invention as specified in the instant claims.


### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cordelia Kane whose telephone number is 571-272-7771. The examiner can normally be reached on Monday - Thursday 8:00 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
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